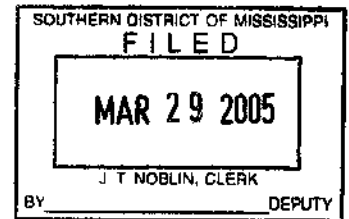


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION



MARTHA A. CHEATHAM, SANDRA R.)
GILBERT, JOY E. LADD, JOHN)
McCOY, SHERRY L. PARHAM, CAROL)
D. STEGALL, BETTY M. WELLS,)
JOSEPH E. JOHNSTON, JOHN R.)
KITCH, DENISE PEOPLES, and)
MIKEL ANTHONY,)

Plaintiffs,)

v.)

ALLSTATE INSURANCE COMPANY,)

Defendant.)

CIVIL ACTION NUMBER:
2:02CV893

Judge Fallon
Magistrate Judge Wilkinson, Jr.
EDLA

HEARING DATE:
APRIL 27, 2005
ORAL ARGUMENT REQUESTED

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Allstate Insurance Company, Defendant in the above-styled action, pursuant to Federal Rule of Civil Procedure 56, moves this Court to enter judgment in its favor with respect to all claims asserted by Plaintiffs (with the exception of Plaintiffs Ladd and Stegall's FLSA claims). Defendant avers that with respect to the foregoing motion, there is no genuine issue as to any material fact, and Defendant is entitled to summary judgment as a matter of law. The foregoing is based upon the following:

The pleadings, and the following filed concurrently herewith:

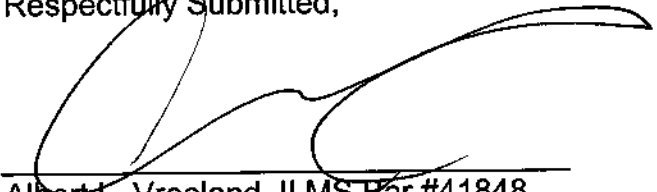
1. Defendant's Memorandum of Law in Support of its Motion for Summary Judgment on Plaintiffs' ADEA Claim;
2. Defendant's Memorandum of Law in Support of its Motion for Summary Judgment on Plaintiffs' Outrage Claim;

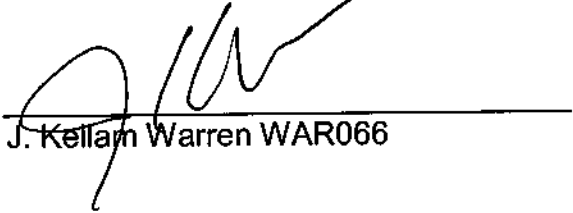
3. Defendant's Memorandum of Law in Support of its Motion for Summary Judgment on Plaintiffs' FLSA Claim;

4. Defendant's Evidentiary Submission in Support of its Motion for Summary Judgment.

ORAL ARGUMENT IS REQUESTED

Respectfully Submitted,



Albert L. Vreeland, II MS Bar #41848

J. Kellam Warren WAR066

OF COUNSEL:
LEHR MIDDLEBROOKS PRICE & VREELAND, P.C.
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Birmingham, Alabama 35202-1945
(205) 326-3002

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on the following counsel of record by overnight courier, properly addressed and postage prepaid:

Alben N. Hopkins, Esq.
Mariano J. Barvie, Esq.
Hopkins, Barvie & Hopkins, P.L.L.C.
2701 - 24th Avenue
P.O. Box 1510
Gulfport, MS 39502

This the 28th day of March, 2005



OF COUNSEL

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